



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,827	03/26/2004	Hiroshi Nonoue	50024-029	7838

7590 03/23/2006

MCDERMOTT, WILL & EMERY
600 13th Street, N.W.
Washington, DC 20005-3096

EXAMINER

HODGES, MATTHEW P

ART UNIT	PAPER NUMBER
----------	--------------

2879

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/809,827	Applicant(s) NONOUE ET AL.	
	Examiner Matt P. Hodges	Art Unit 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35.U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Priority

Acknowledgment is made of applicant's claim for foreign priority based on applications filed in Japan on March 27, 2003 and March 22, 2004. It is noted, however, that applicant has not filed certified copies of the Japanese's applications as required by 35 U.S.C. 119(b).

Specification

The disclosure is objected to because of the following informalities:

Numerous grammatical errors appear to be included in the specification. Two examples of such errors are listed below.

Page 1 line 13 appears to include a typographical error. The word "penal" should read "panel"

Page 1 line 18-20, the sentence starting "An organic EL device..." appears to contain grammatical errors.

Page 41 line 22, the applicant appears to misidentify the figure 13 with the label figure 5.

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Appropriate correction is required.

Claim Objections

Claims 11-14 are objected to because of the following informalities:

Regarding claim 11, the term "said one side" doesn't appear to have antecedent basis with regards to claim 1 for which it depends. It is assumed for the purposes of examination that the applicant intended for claim 11 to depend upon claim 10 instead.

Claims 12-14 are objected to for the same reason as stated in claim 11 above and are further interpreted by the examiner as being dependent upon claim 10 for the purposes of examination.

Claim 12 further includes a typographical error. The line "... on said are side" appears to include the word "are" instead of the intended word "one".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Bechtel et al.

(US 6,873,091).

Art Unit: 2879

Regarding claims 1 and 10, Bechtel discloses (see figure 1) an organic EL device including a substrate (1) an organic EL layer (7), a transparent electrode (8), and a filter (9). The filter is located at any location between the light emitting layer and the viewing side of the substrate. (Column 5 lines 15-20). Further the filter layer blocks all light or EM radiation under 500nm while fully transmitting light above that range. (Column 5 lines 64-67). Bechtel does not appear to specify the peak voltage wavelength of the organic EL layer, however the peak voltage wavelength is primarily a function of the specified organic materials and would be substantially around 400nm for the materials disclosed.

Regarding claims 2-5, the filter disclosed by Bechtel blocks light starting from 100nm greater than the peak voltage wavelength to less than 100nm lower than the peak voltage wavelength.

Regarding claims 6-9, the filter disclosed blocks 10 times as much radiation at the blocked frequencies than the frequencies of the device output. (Column 4 lines 40-55).

Regarding claims 11, 12, and 14, Bechtel further disclose the filter layer being a thin organic polymer film including inorganic or organic dyes. (Column 5 lines 15-67).

Regarding claim 13, Bechtel discloses the use of an ITO anode (8) and filter (9) that are formed with a common side. In this example the ITO anode then includes a filter layer.

It is noted that the claim language defining an ITO anode layer and separately a light blocking layer infers that both layers are independent and their constituents not physically mixed. Thus it is interpreted that the language of an ITO anode including the light blocking layer means that the ITO anode is coated or bonded with a light blocking layer forming an ITO anode/Light blocking layer combination.

Art Unit: 2879

Regarding claim 15, Bechtel discloses the use of a substrate (1) and filter (9) that are formed together and form the base layer for the device. In this example the substrate then includes a filter layer.

It is noted that the claim language defining a substrate layer and separately a light blocking layer infers that both layers are independent and their constituents not physically mixed. Thus it is interpreted that the language of a substrate including the light blocking layer means that the substrate is coated or bonded with a light blocking layer forming a Substrate/Light blocking layer combination.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Shitagaki et al. (US 2004/0245541) discloses the use of a UV blocking layer for an OLED device.

King et al. (US 2005/0029931) discloses the use of a UV blocking material formed integral to OLED layers to enhance lifespan of the device.


Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matt P Hodges whose telephone number is (571) 272-2454. The examiner can normally be reached on 7:30 AM to 4:00 PM M-F.

Art Unit: 2879

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mph 



**NIMESHKUMAR D. PATEL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800**